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SENATE BILL 1989 By
Wilder

HOUSE BILL 2023
By Fitzhugh

AN ACT to amend Tennessee Code Annotated, Title 5, Chapter 17, Part 1, relative to fire protection services in any county having a population of not less than twenty-eight thousand five hundred (28,500) nor more than twenty-nine thousand (29,000), according to the 2000 federal census or any subsequent federal census.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 5, Chapter 17, Part 1, is amended by adding the following language as a new, appropriately designated section:

§ 5-17-109. Notwithstanding any provision of this part or any other law to the contrary, in any county having a population of not less than twenty-eight thousand five hundred (28,500) nor more than twenty-nine thousand (29,000), according to the 2000 federal census or any subsequent federal census, by a two-thirds ($\frac{2}{3}$) vote of the county legislative body a fire protection fee may be levied upon residential and business structures having 911 addresses lying outside the incorporated areas of the county. Furthermore, upon request of the legislative body of any municipality located within the county, by a two-thirds ($\frac{2}{3}$) of the county legislative body the fire protection fee may be extended to residential and business structures having 911 addresses lying inside the

boundaries of the municipality. The fire protection fee shall be utilized exclusively by the county to fund, upgrade and improve fire protection services within the unincorporated areas of the county and within any incorporated areas of the county in which the fee is also levied. The amount of the fire protection fee shall be equitably established, by the county legislative body, based on occupancy-type of the structure and must be levied in lieu of the fire tax authorized by § 5-17-106. The fire protection fee shall be collected and enforced at the same time and in the same manner as real property taxes are collected and enforced by the county. A delinquent fire protection fee shall create a lien against the real property, located at the 911 address, until payment of the fee and all related interest and penalties; and such lien shall be superior to all other liens upon such property, except real property tax liens. The county legislative body may adopt an assistance program to aid low-income, elderly homeowners in the payment of their fire protection fees.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.